

ENTERED

March 17, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

GREGORY SWANK FORBES,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. 2:19-CV-231
	§	
THE GEO GROUP, INC., <i>et al</i> ,	§	
	§	
Defendants.	§	

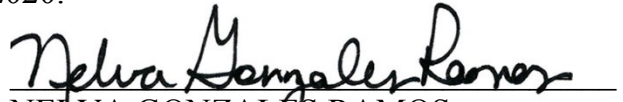
**ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION TO DISMISS CASE**

On January 24, 2020, United States Magistrate Judge Jason B. Libby issued his “Memorandum and Recommendation to Dismiss Case” (D.E. 18), recommending that the Court dismiss Plaintiff’s Eighth Amendment claim because relief is unavailable against the Defendants, who are non-governmental entities. The Magistrate Judge further recommends dismissing Plaintiff’s state law claims for lack of diversity jurisdiction and on the basis that the Court should decline to exercise supplemental jurisdiction over them. The Plaintiff was provided proper notice of, and opportunity to object to, the Magistrate Judge’s Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been timely filed.

When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge's Memorandum and Recommendation (D.E. 18), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, Plaintiff's Eighth Amendment claims are **DISMISSED WITH PREJUDICE**. Because this Court does not have diversity jurisdiction and because it declines to exercise supplemental jurisdiction, Plaintiff's state law claims are **DISMISSED WITHOUT PREJUDICE**. Thus, this action is **DISMISSED** in its entirety.

ORDERED this 17th day of March, 2020.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE